

# EXHIBIT 1



**ROETZEL**

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January 10, 2025

**VIA EMAIL ONLY**

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Re: *Glasgow, et al. v. Daniel J. Beers, et al.*, N.D. Ohio Case No. 5:21-cv-02001-DAR

Dear Counsel:

We are writing to respond to your correspondence, dated December 13, 2024, regarding Defendant Liberty HealthShare's Objections and Responses to Plaintiffs' First Set of Requests for Production of Documents, and to follow up on our January 2, 2025 call regarding the same.

**1. Liberty Stands by Its Objections to Plaintiffs' Overbroad Document Requests.**

In Section I(B)(1) of your letter, you request that "[a]s to every objection to an 'overly broad' request, please (a) identify the scope of the request that is not overly broad; (b) state whether any non-privileged responsive documents were withheld on that basis; and (c) disclose whether any non-privileged responsive documents fall with the scope of the request that is not overly broad."

As an initial matter, please note that Liberty intends to stand on its objections to RPD Nos. 14, 15, 16, 17, 20, 21, 33, 34, 37, 38, 39, 40, 62, and 63. Among other things, these Requests are impermissibly overbroad insofar as they not narrowly tailored to seek information relevant to the claims or defenses in the case. *See Guardian of Georgia, Inc. v. Bold Technologies Ltd.*, Case No. 1:21-cv-1232, 2022 WL 18863809, \*8 (N.D. Ohio July 26, 2022). For example, RPD Nos. 14-17 seek, *inter alia*, the production of all communications between Liberty and CSS, MCS, SavNet, and National Coalition. Requests of this nature that are not reasonably tailored in scope or subject matter are improper, and because Liberty is unable to

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parse any portion of these requests that are not overly broad, it is unable to produce any responsive documents at this time.

With respect to RPD Nos. 1-13, 18-19, 22, 24-32, 35, 41-43, 46-48, 50-52, 56-61, and 64-66, it is our position that Liberty has satisfied its obligations under Fed. R. Civ. P. 26 and 34. In response to each of these Requests, Liberty has stated its objections, but has indicated that subject to and notwithstanding same, it has produced documents responsive to the portions of the Requests that are proper. For example, RPD No. 7 requests the production of all documents “referring to, relating to, describing, evidencing, or constituting any of Liberty’s policies or procedures pertaining to the operation of Liberty as an HCSM.” Theoretically, this Request could seek the production of every single document in Liberty’s custody, as each document generated by Liberty is potentially evidence of Liberty’s day-to-day operations as an HCSM. Nevertheless, Liberty has produced its bylaws and sharing guidelines, which encompass Liberty HealthShare’s policies and procedures relating to the ministry’s operations.

Liberty has responded to each of the remaining Requests in a similar manner. We believe that our responses comport with our obligations under the Federal Rules, and we have produced (or are in the process of producing) documents responsive to Plaintiffs’ RPD’s, despite their universally overbroad nature. Of course, should Plaintiffs wish to narrow the scope of the contested Document Requests, Liberty HealthShare would be willing to revisit its responses in good faith.

Regarding privileged documents, we note that Liberty produced a privilege log on January 2, 2025. As discovery remains ongoing, Liberty reserves the right to supplement.

## **2. Liberty Withdraws its Privilege-Based Objection to Document Request No. 32.**

Liberty withdraws its previously stated objection to RPD No. 32 on the basis that it “seeks the disclosure of Privileged Information.” However, Liberty stands by all other objections set forth in its Response to RPD No. 32.

## **3. Plaintiffs’ Document Requests Seek Information Irrelevant to Class Certification.**

As you correctly state in your letter, discovery is currently limited only to those matters “necessary for class certification.” (Case Management Order, Doc. # 123, PageID # 2125). Despite this clear limitation, you ask Liberty to withdraw its relevance objections with respect to Document Request Nos. 14, 15, 16, 17, 19, 20, 21, 33, 35, 38, 39, 40, 41, 46, 63, and 66. Specifically, you argue that Liberty’s relevance objections are misplaced because the “purpose of these document requests is to establish the predomination of common questions or law and fact over individual questions, and to otherwise establish that class treatment is superior to other available methods of adjudication....”

Liberty disagrees. As you acknowledge in your letter, *every* request referenced above seeks documents or communications exchanged between Liberty and third parties. The objective

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of each request is obvious: Plaintiffs are seeking documents relating to the scope or existence of the conspiracy alleged throughout Plaintiffs' *First Amended Complaint* (See Doc. # 76, PageID ## 1023–25, 1033, 1040–42). But the existence and scope of the alleged conspiracy clearly go toward the merits of Plaintiffs' claims—not class certification.

For example, Request No. 39 seeks “[a]ll correspondence between Liberty and the California Attorney General’s office.” Liberty can think of no factual connection whatsoever between this request the numerosity requirement of Fed. R. Civ. P. 23(a)(1), the commonality requirement of Fed. R. Civ. P. 23(a)(2), the typicality requirement of Fed. R. Civ. P. 23(a)(3), the representative suitability requirement of Fed. R. Civ. P. 23(a)(4), or even the predominance and superiority requirements of Fed. R. Civ. P. 23(b)(3) referenced in your letter. It is Plaintiffs’ burden to establish that the requested documents are relevant to class certification. You make no attempt in your letter to connect Request No. 39 or any other request to a requirement of Fed. R. Civ. P. 23 other than to generally reference the language in Fed. R. Civ. P. 23(b)(3). You provided no other support for these requests during our recent videoconference.

Plaintiffs’ purported basis for seeking this information at the class certification stage is so broad and vague that it completely swallows the rule and undermines the entire point of bifurcated discovery. Unless Plaintiffs can articulate some specific, factual connection between the information sought by these requests and the requirements of Rule 23, Liberty will not withdraw its objections relating to relevance and bifurcation.

**4. Liberty has Provided a Privilege Log Regarding Redactions to its Board Meeting Minutes.**

As previously noted, Liberty produced a privilege log on January 2, 2025. This privilege log includes the redactions made to Liberty’s Board meeting minutes. As discovery remains ongoing, Liberty reserves the right to supplement.

**5. Specific Documents Liberty has Agreed to Produce.**

With respect to the specific documents Liberty agreed to produce in response to Document Request Nos. 16, 32, 48, and 56, as set forth in Section I(B)(5) of your letter, Liberty has produced documents that it could locate following a reasonably diligent search. Liberty reserves the right to supplement as discovery is ongoing.

**6. Communications with State Attorney General offices and Insurance Enforcement Departments.**

In Section 1(B)(6) of your letter, you ask us to identify and provide the basis or bases for Liberty’s objections, including assertions of “Privileged Information” with respect to RPD Nos. 33, 35, 39, and 40. These Requests seek, respectively: “[a]ll correspondence with any state’s attorney general office regarding Liberty[.]” “[a]ll correspondence with the New Mexico Office of the Superintendent of Insurance[.]” “[a]ll correspondence between Liberty and the California Attorney General’s office[.]” and “[a]ll documents produced by Liberty to the California

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Attorney General's office." As we discussed during our calls, our privilege-based objection is that the documents sought are subject to the investigatory privilege and/or are otherwise protected from disclosure under state law. In addition, Liberty has already addressed its class certification objections to these Requests in Section 3 of this letter, and its overbreadth objections in Section 2 of this letter. Liberty incorporates those responses herein by reference. Further, Plaintiffs' requests for all documents produced to state agencies, including but not limited to Document Request No. 35, constitute impermissible "piggyback" discovery requests.

Finally, we take issue with your mischaracterization of our statements during our earlier meet and confer call to discuss Plaintiffs' subpoena to the Ohio Attorney General and the (now-withdrawn) subpoena to the California Attorney General. Contrary to your letter, we never "admitted" that Liberty "may use the [Ohio Attorney General] settlement agreement to oppose Plaintiffs' forthcoming motion for class certification."

## **7. Plaintiffs' Requests for Additional ESI Search Terms and Custodians.**

In Section I(C) of your letter, you propose that additional search terms and custodians be "added to the terms [Liberty] previously proposed" and the "custodians [Liberty] previously proposed" to Plaintiffs on November 6, 2024.

As an initial matter, we note that your letter was the first response we received from Plaintiffs regarding Liberty's proposed ESI search terms and custodians. It is our understanding from our call on January 2, 2025, that you accept the terms and custodians proposed by Liberty on November 6, 2024, but that you are asking for additional search terms and custodians to be utilized.

An ESI search term report encompassing the terms and custodians proposed by Liberty on November 6, 2024 is attached for your reference as **Exhibit A**. However, as we indicated on our call, we would propose editing the terms related to the "Yoder" search to:

Everett w/3 Yoder or mail([mowersales@gmail.com](mailto:mowersales@gmail.com)) or mail([everett.yoder@gmail.com](mailto:everett.yoder@gmail.com))

As we discussed, the purpose of this change is to isolate communications and documents related to **Everett** Yoder, specifically. An updated ESI search term report (dated 12-31-2024) making that change is attached to this letter as **Exhibit B**. We will proceed to review documents based upon the updated search terms in **Exhibit B** unless we hear otherwise from you. Please note that Liberty expressly reserves the right to exclude from production any documents, communications, and ESI resulting from these searches (or any other searches) that are privileged (or otherwise subject to our stated objections), or that are non-responsive to your Requests.

Regarding the additional custodians you requested in your letter, we are in the process of collecting that ESI data to load that information into our database and perform searches. Given the timeframe specified in your Document Requests, this will take some time to accomplish.

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With respect to the additional search terms you proposed in your letter, we have run an ESI search term report, which is attached hereto as **Exhibit C**. (Note that this does *not* include the additional custodians you proposed as we do not yet have the data available for searching, for the reasons indicated above). As you can see from **Exhibit C**, your proposed search terms result in over 800,000 hits (including related “family” documents [i.e., attachments or root emails]). This is unduly burdensome and disproportionate to the needs of the case, particularly considering that we have not yet entered the merits phase of discovery. Further, these proposed searches are overbroad in that they are not reasonably tailored in scope or subject matter. We ask that you withdraw your request for these additional search terms and/or that you propose alternative terms.

Please reach out to me if you have any questions.

Very truly yours,

ROETZEL & ANDRESS, LPA

A handwritten signature in black ink, appearing to read "Emily K. Anglewicz", with a stylized, flowing script.

Emily K. Anglewicz

cc: George Cochran at [lawchrist@gmail.com](mailto:lawchrist@gmail.com)  
Barry Freeman  
Michelle Nouredine



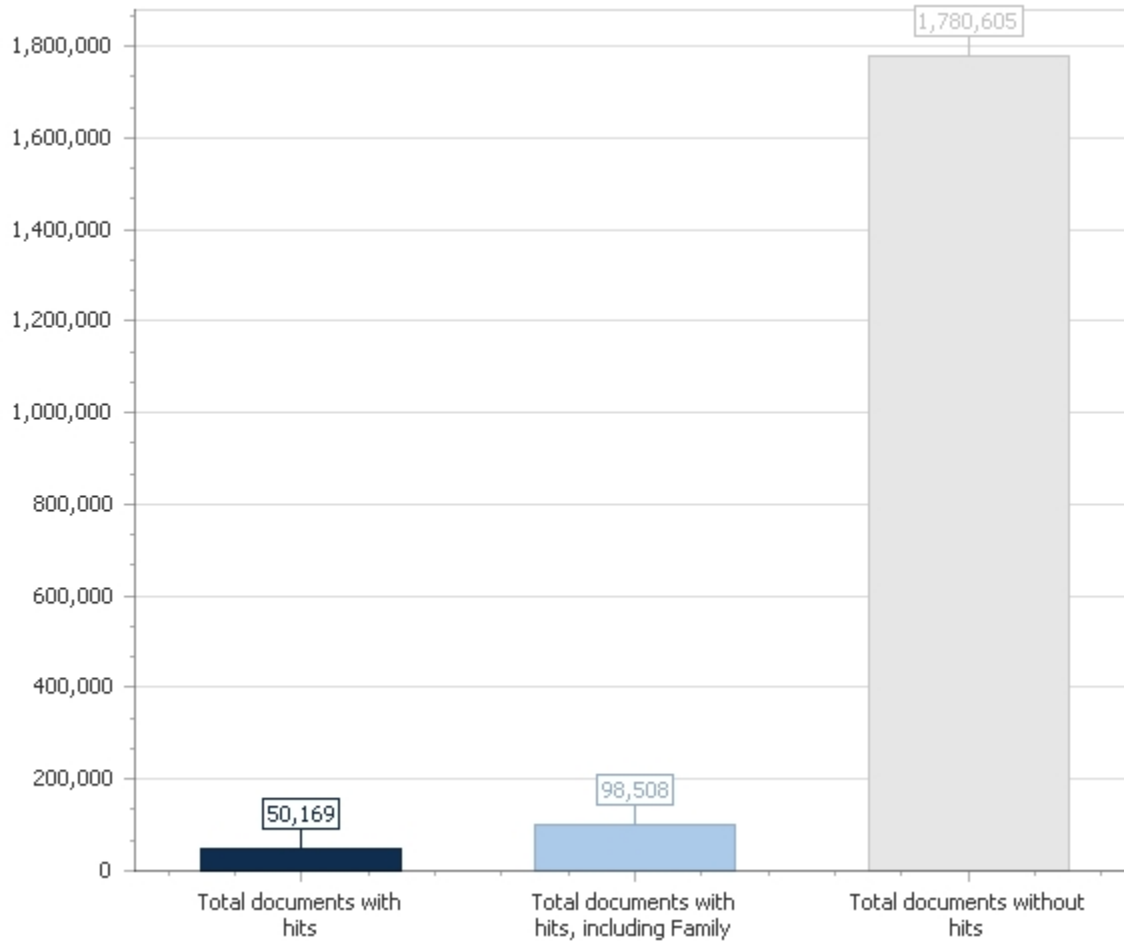
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## EXHIBIT A

### HEALTHSHARE CA

### Search Terms Report

**Report Name:** PROPOSED ESI

**Searchable Set:** CUSTODIANS FOR STR


### Results Summary

Documents in searchable set	Total documents with hits	Total documents with hits, including Family	Total documents without hits
1,879,113	50,169	98,508	1,780,605



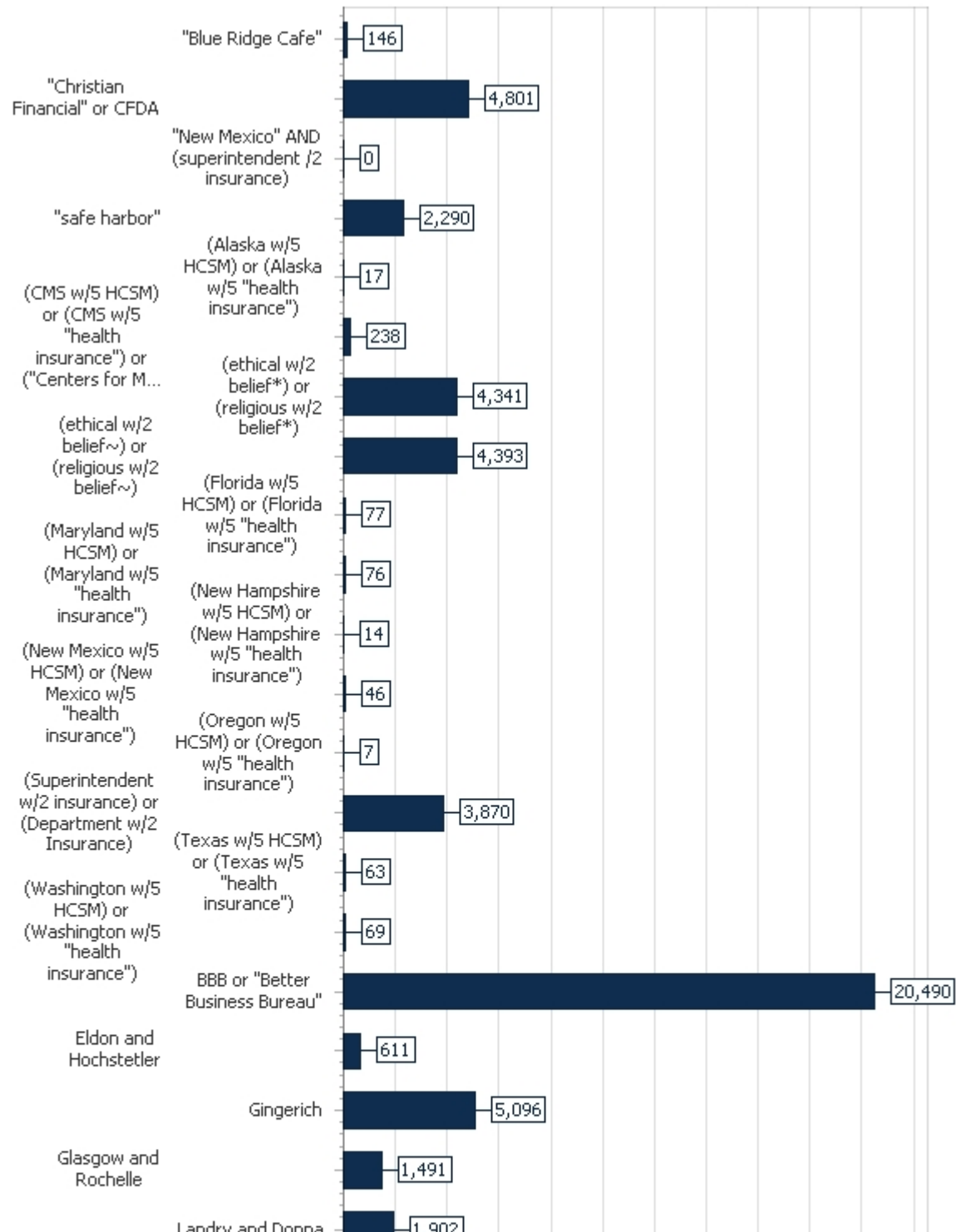
# GOSPEL LIGHT - GLASGOW v LIBERTY

## HEALTHSHARE CA

### Search Terms Report

Report Name: PROPOSED ESI

Searchable Set: CUSTODIANS FOR STR







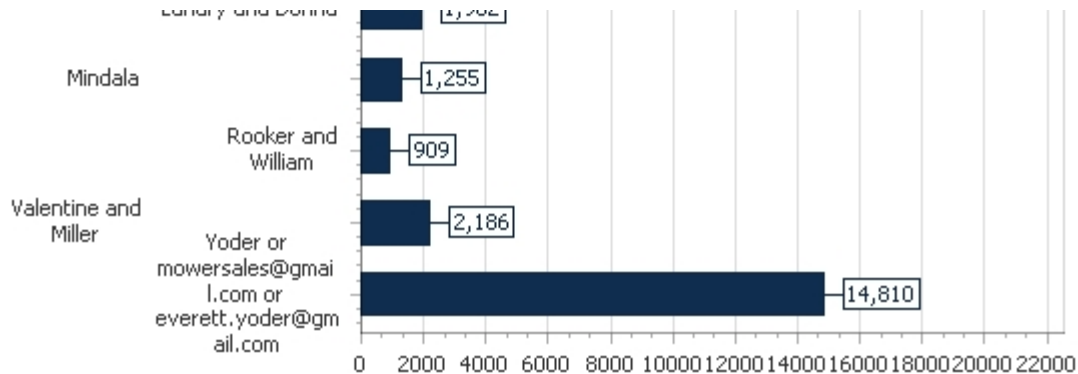
# GOSPEL LIGHT - GLASGOW v LIBERTY

## HEALTHSHARE CA

### Search Terms Report

Report Name: PROPOSED ESI

Searchable Set: CUSTODIANS FOR STR



### Terms Summary

Term	Documents with hits	Documents with hits, including Family	Unique hits
"Blue Ridge Cafe"	146	957	73
"Christian Financial" or CFDA	4,801	13,328	3,730
"New Mexico" AND (superintendent /2 insurance)	0	0	0
"safe harbor"	2,290	6,195	1,381
(Alaska w/5 HCSM) or (Alaska w/5 "health insurance")	17	23	12
(CMS w/5 HCSM) or (CMS w/5 "health insurance") or ("Centers for Medicare" w/5 HCSM) or ("Centers for Medicare" w/5 "health insurance")	238	913	110
(ethical w/2 belief*) or (religious w/2 belief*)	4,341	13,991	0
(ethical w/2 belief~) or (religious w/2 belief~)	4,393	14,111	33
(Florida w/5 HCSM) or (Florida w/5 "health insurance")	77	164	54
(Maryland w/5 HCSM) or (Maryland w/5 "health insurance")	76	216	31



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## HEALTHSHARE CA

### Search Terms Report

Report Name: PROPOSED ESI

Searchable Set: CUSTODIANS FOR STR

Term	Documents with hits	Documents with hits, including Family	Unique hits
(New Hampshire w/5 HCSM) or (New Hampshire w/5 "health insurance")	14	81	9
(New Mexico w/5 HCSM) or (New Mexico w/5 "health insurance")	46	90	0
(Oregon w/5 HCSM) or (Oregon w/5 "health insurance")	7	16	2
(Superintendent w/2 insurance) or (Department w/2 Insurance)	3,870	12,610	2,271
(Texas w/5 HCSM) or (Texas w/5 "health insurance")	63	127	26
(Washington w/5 HCSM) or (Washington w/5 "health insurance")	69	168	24
BBB or "Better Business Bureau"	20,490	33,489	19,644
Eldon and Hochstetler	611	1,685	41
Gingerich	5,096	11,923	1,135
Glasgow and Rochelle	1,491	4,598	175
Landry and Donna	1,902	5,735	219
Mindala	1,255	3,168	758
Rooker and William	909	2,459	28
Valentine and Miller	2,186	5,933	291
Yoder or mowersales@gmail.com or everett.yoder@gmail.com	14,810	31,572	9,387



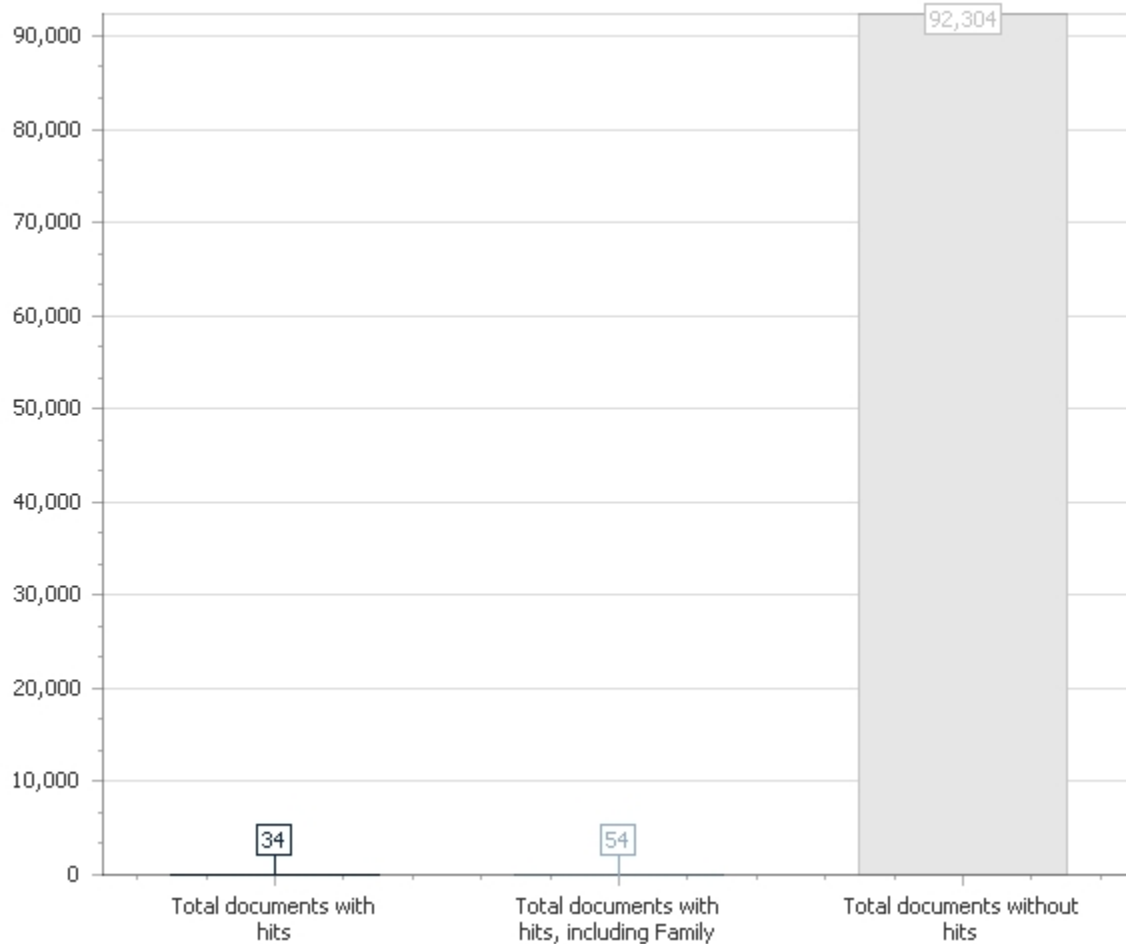
# GOSPEL LIGHT - GLASGOW v LIBERTY

## HEALTHSHARE CA

### Search Terms Report

**Report Name:** PROPOSED ESI -  
memberresolutions@libertyhealthshare.org

**Searchable Set:** CUSTODIANS FOR STR - JUST  
MEMBERRESOLUTION



### Results Summary

Documents in searchable set	Total documents with hits	Total documents with hits, including Family	Total documents without hits
92,358	34	54	92,304



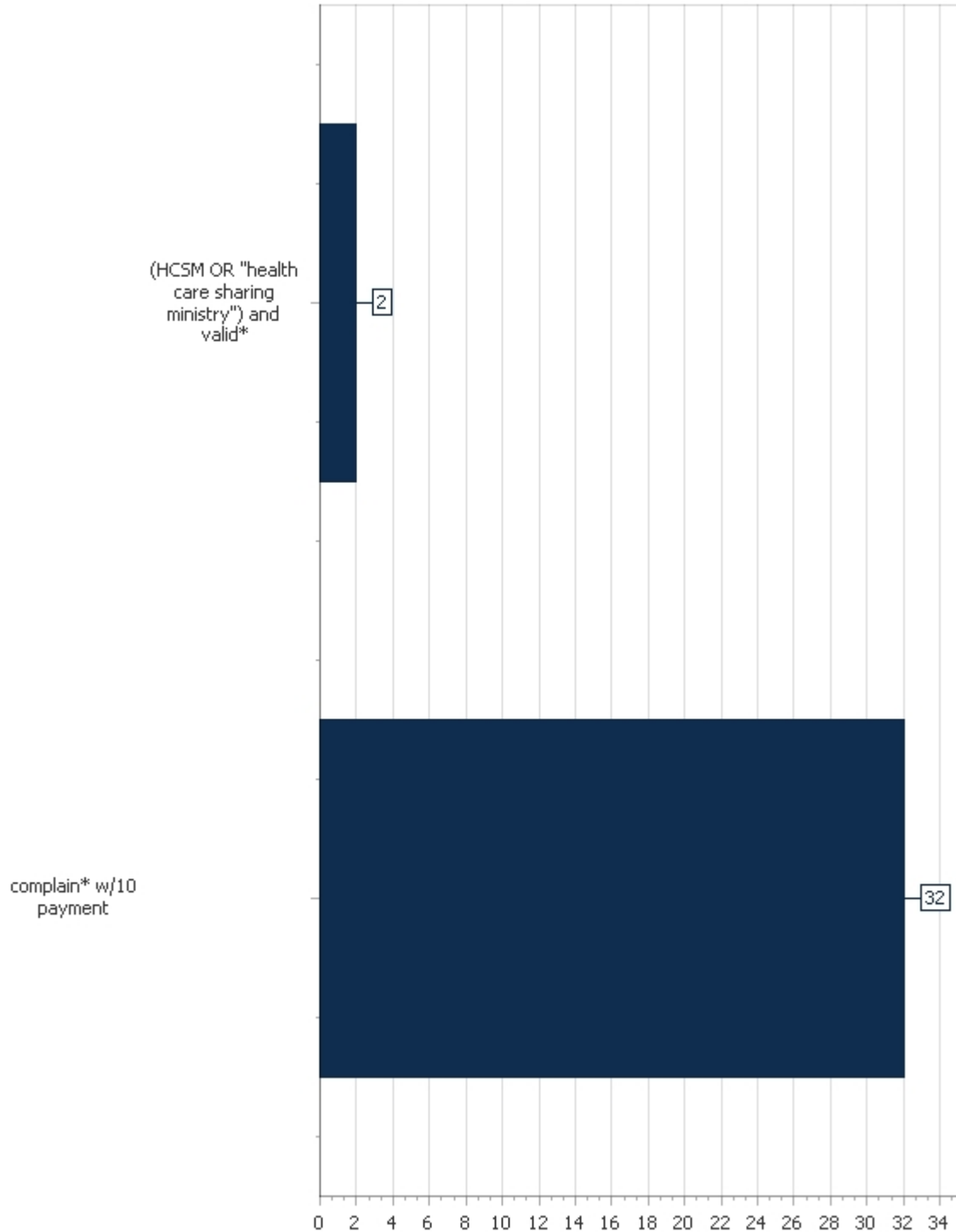
# GOSPEL LIGHT - GLASGOW v LIBERTY

## HEALTHSHARE CA

### Search Terms Report

Report Name: PROPOSED ESI -  
memberresolutions@libertyhealthshare.org

Searchable Set: CUSTODIANS FOR STR - JUST  
MEMBERRESOLUTION



**GOSPEL LIGHT - GLASGOW v LIBERTY****HEALTHSHARE CA****Search Terms Report****Report Name:** PROPOSED ESI -  
memberresolutions@libertyhealthshare.org**Searchable Set:** CUSTODIANS FOR STR - JUST  
MEMBERRESOLUTION**Terms Summary**

Term	Documents with hits	Documents with hits, including Family	Unique hits
(HCSM OR "health care sharing ministry") and valid*	2	4	2
complain* w/10 payment	32	50	32



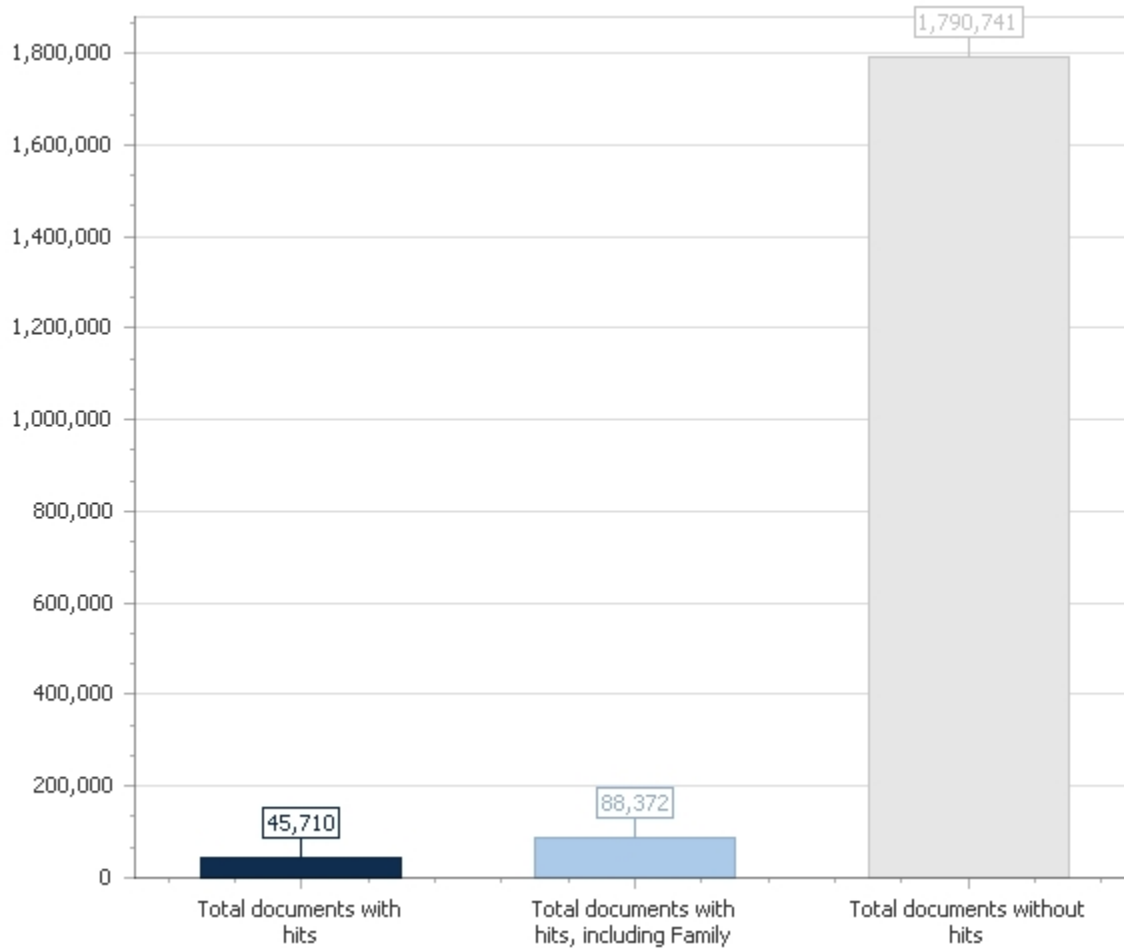
# GOSPEL LIGHT - GLASGOW v LIBERTY

## EXHIBIT B

### HEALTHSHARE CA

### Search Terms Report

**Report Name:** PROPOSED ESI

**Searchable Set:** CUSTODIANS FOR STR


### Results Summary

Documents in searchable set	Total documents with hits	Total documents with hits, including Family	Total documents without hits
1,879,113	45,710	88,372	1,790,741



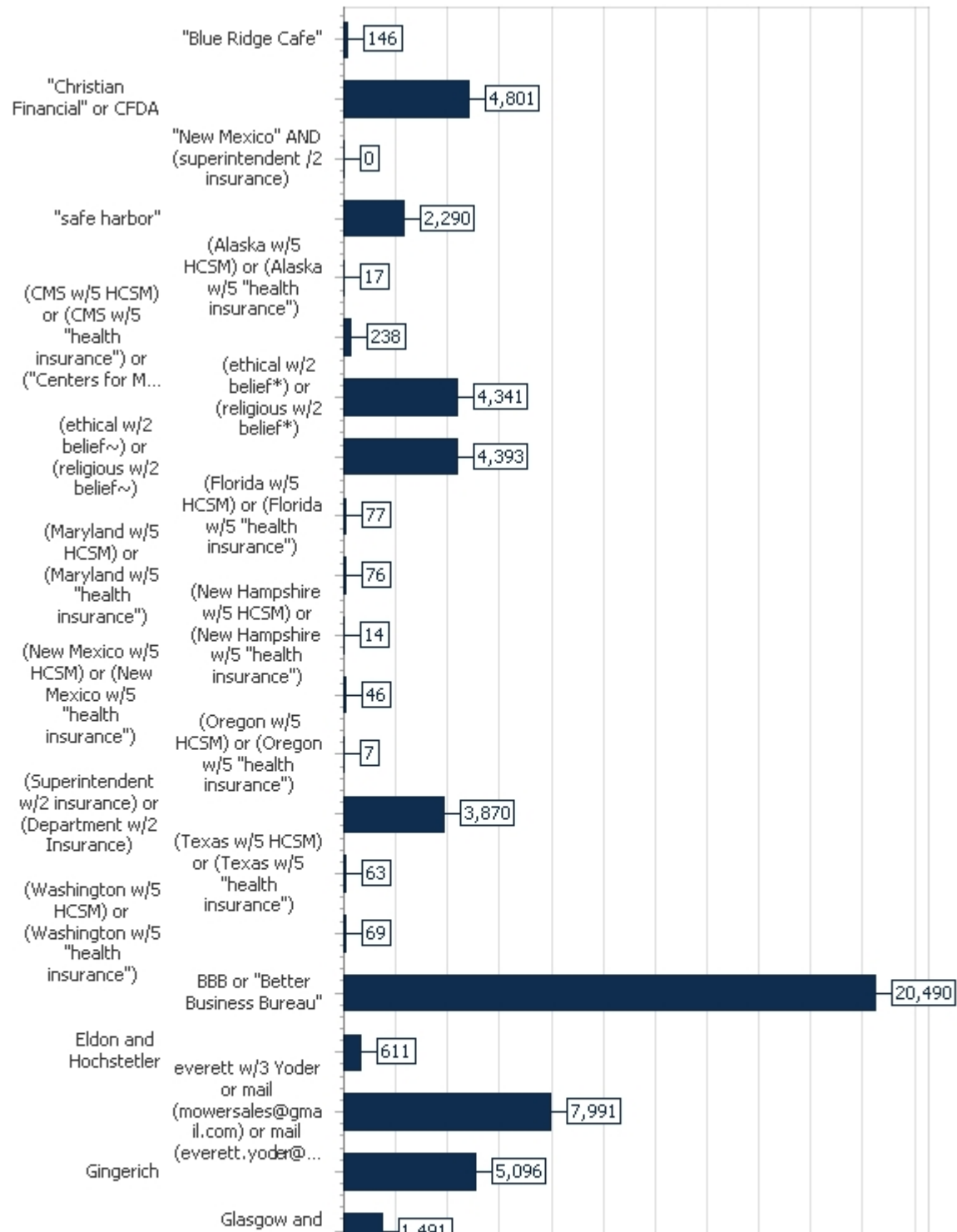
# GOSPEL LIGHT - GLASGOW v LIBERTY

## HEALTHSHARE CA

### Search Terms Report

Report Name: PROPOSED ESI

Searchable Set: CUSTODIANS FOR STR





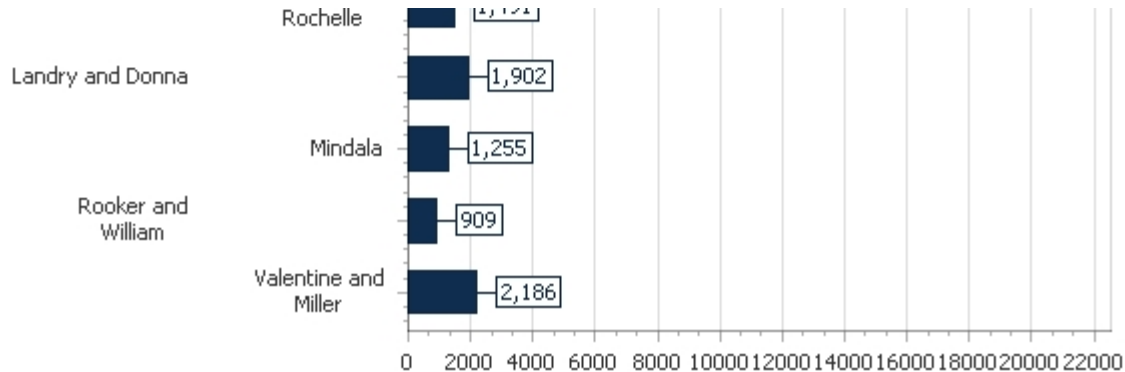
# GOSPEL LIGHT - GLASGOW v LIBERTY

## HEALTHSHARE CA

### Search Terms Report

Report Name: PROPOSED ESI

Searchable Set: CUSTODIANS FOR STR



### Terms Summary

Term	Documents with hits	Documents with hits, including Family	Unique hits
"Blue Ridge Cafe"	146	957	73
"Christian Financial" or CFDA	4,801	13,328	3,764
"New Mexico" AND (superintendent /2 insurance)	0	0	0
"safe harbor"	2,290	6,195	1,386
(Alaska w/5 HCSM) or (Alaska w/5 "health insurance")	17	23	12
(CMS w/5 HCSM) or (CMS w/5 "health insurance") or ("Centers for Medicare" w/5 HCSM) or ("Centers for Medicare" w/5 "health insurance")	238	913	110
(ethical w/2 belief*) or (religious w/2 belief*)	4,341	13,991	0
(ethical w/2 belief~) or (religious w/2 belief~)	4,393	14,111	33
(Florida w/5 HCSM) or (Florida w/5 "health insurance")	77	164	56
(Maryland w/5 HCSM) or (Maryland w/5 "health insurance")	76	216	31





# GOSPEL LIGHT - GLASGOW v LIBERTY

## HEALTHSHARE CA

### Search Terms Report

Report Name: PROPOSED ESI

Searchable Set: CUSTODIANS FOR STR

Term	Documents with hits	Documents with hits, including Family	Unique hits
(New Hampshire w/5 HCSM) or (New Hampshire w/5 "health insurance")	14	81	9
(New Mexico w/5 HCSM) or (New Mexico w/5 "health insurance")	46	90	0
(Oregon w/5 HCSM) or (Oregon w/5 "health insurance")	7	16	2
(Superintendent w/2 insurance) or (Department w/2 Insurance)	3,870	12,610	2,272
(Texas w/5 HCSM) or (Texas w/5 "health insurance")	63	127	26
(Washington w/5 HCSM) or (Washington w/5 "health insurance")	69	168	24
BBB or "Better Business Bureau"	20,490	33,489	19,813
Eldon and Hochstetler	611	1,685	51
everett w/3 Yoder or mail(mowersales@gmail.com) or mail(everett.yoder@gmail.com)	7,991	14,994	4,928
Gingerich	5,096	11,923	1,599
Glasgow and Rochelle	1,491	4,598	246
Landry and Donna	1,902	5,735	318
Mindala	1,255	3,168	758
Rooker and William	909	2,459	57
Valentine and Miller	2,186	5,933	463



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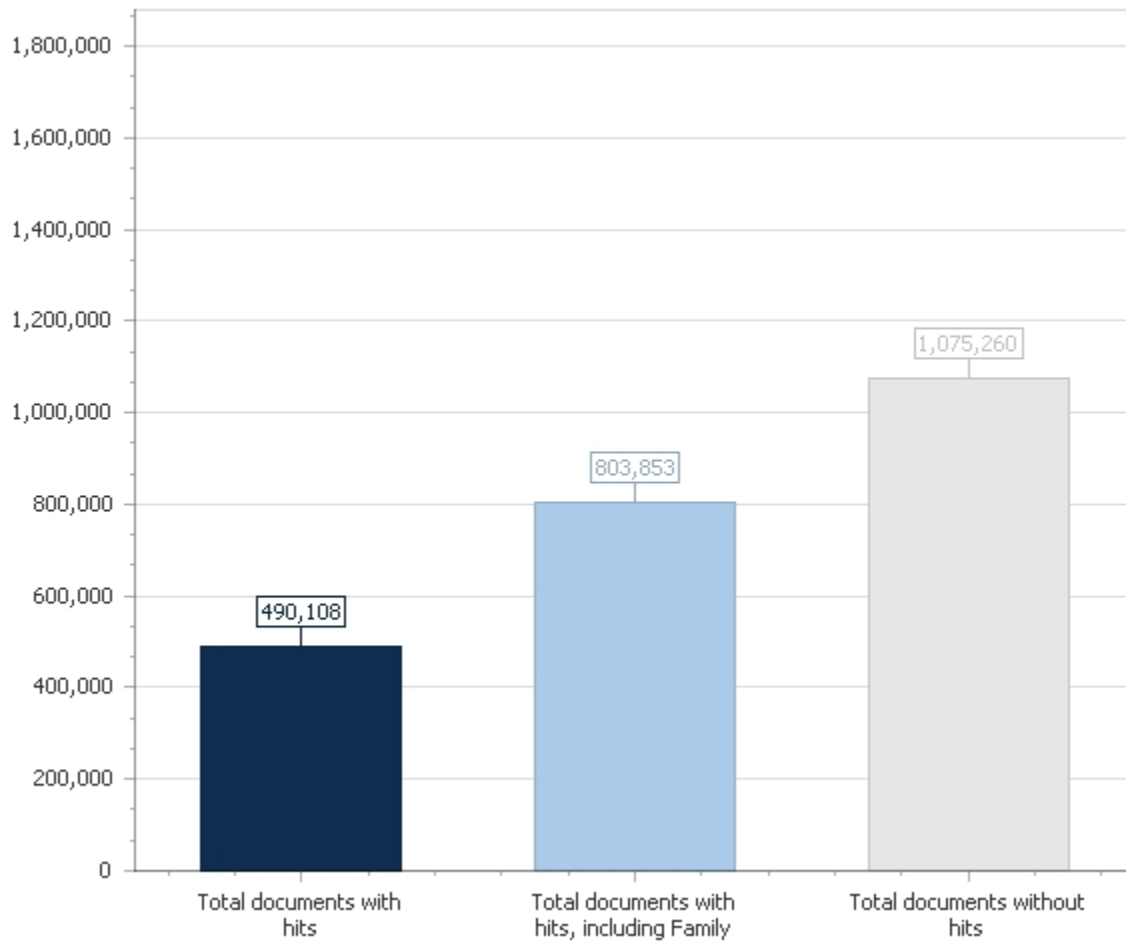
EXHIBIT C

## HEALTHSHARE CA

### Search Terms Report

Report Name: PLAINTIFFS SEARCH TERMS

Searchable Set: CUSTODIANS FOR STR



### Results Summary

Documents in searchable set	Total documents with hits	Total documents with hits, including Family	Total documents without hits
1,879,113	490,108	803,853	1,075,260



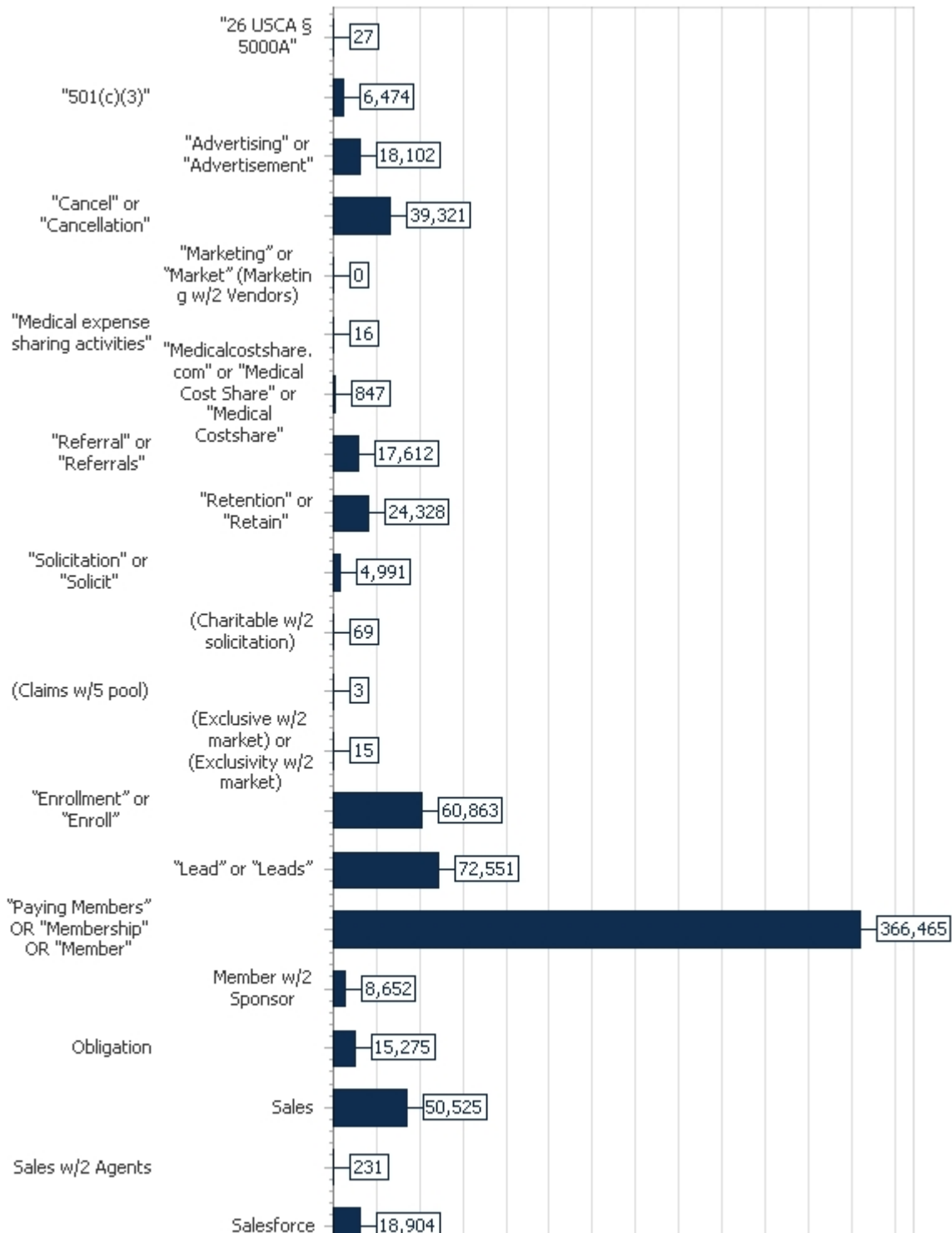
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## HEALTHSHARE CA

### Search Terms Report

Report Name: PLAINTIFFS SEARCH TERMS

Searchable Set: CUSTODIANS FOR STR





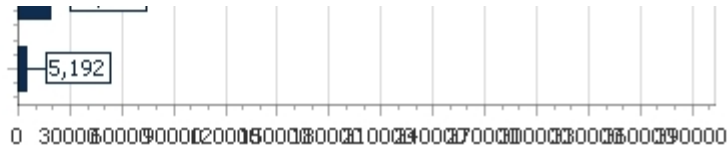
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## HEALTHSHARE CA

### Search Terms Report

Report Name: PLAINTIFFS SEARCH TERMS

Searchable Set: CUSTODIANS FOR STR

Sharing w/2  
Membership

### Terms Summary

Term	Documents with hits	Documents with hits, including Family	Unique hits
"26 USCA § 5000A"	27	77	0
"501(c)(3)"	6,474	16,317	1,638
"Advertising" or "Advertisement"	18,102	37,955	5,739
"Cancel" or "Cancellation"	39,321	82,338	11,415
"Marketing" or "Market" (Marketing w/2 Vendors)	0	0	0
"Medical expense sharing activities"	16	28	4
"Medicalcostshare.com" or "Medical Cost Share" or "Medical Costshare"	847	1,539	201
"Referral" or "Referrals"	17,612	47,619	4,097
"Retention" or "Retain"	24,328	59,752	6,041
"Solicitation" or "Solicit"	4,991	12,507	539
(Charitable w/2 solicitation)	69	168	0
(Claims w/5 pool)	3	5	0
(Exclusive w/2 market) or (Exclusivity w/2 market)	15	39	2
"Enrollment" or "Enroll"	60,863	139,092	12,450
"Lead" or "Leads"	72,551	157,616	26,903
"Paying Members" OR "Membership" OR "Member"	366,465	630,549	241,503
Member w/2 Sponsor	8,652	17,523	0



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### Search Terms Report

Report Name: PLAINTIFFS SEARCH TERMS

Searchable Set: CUSTODIANS FOR STR

Term	Documents with hits	Documents with hits, including Family	Unique hits
Obligation	15,275	44,509	1,813
Sales	50,525	102,317	24,049
Sales w/2 Agents	231	713	0
Salesforce	18,904	32,696	8,139
Sharing w/2 Membership	5,192	16,778	0